REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 23-29, 32-37, 39-44 and 47-64 are pending in the present application. Claims 45 and 46 are canceled by the present amendment.

In the outstanding Office Action, Claim 45 was rejected under 35 U.S.C. § 102(b) as anticipated by International Patent No. WO 97/43224 (herein "WO '224"); Claim 45 was rejected under 35 U.S.C. § 103(a) as unpatentable over WO '224; Claim 45 was rejected under 35 U.S.C. § 102(e) as anticipated by U.S. Patent No. 6,068,914 to Boire et al. (herein "Boire"); Claim 45 was rejected under 35 U.S.C. § 103(a) as unpatentable over Boire; and Claims 23-29, 32-37, 39-44 and 47-64 were allowed.

Claims 45 and 46 are canceled, thereby rendering moot the rejections of Claim 45 as anticipated by or as unpatentable over <u>WO '224</u> or <u>Boire</u>.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBDON, SPIVAK, McCLELLANI

MAIER & MEUSTADT, P.

Customer Number

22850

Tel: (703) 413-3000 Fax: (703) 413 -2220

(OSMMN 08/03) GJM:RFC:ZSS:dnf

I:\ATTY\ZS\21'\$\219\219924U\$\219924-AMD.102904.DOC

Gregory J. Maler

Attorney of Record

Registration No. 25,599

Raymond F. Cardillo, Jr.

Registration No. 40,440